

ENTERED

July 01, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BRADLEY SEARCY,
(Inmate #01939816)

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vs.

CIVIL ACTION NO. H-24-5006

HARRIS COUNTY, *et al.*,

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Defendants.

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MEMORANDUM OPINION AND ORDER

Bradley Searcy, (Inmate #01939816), is a pretrial detainee in the custody of the Harris County Jail. Representing himself and proceeding without prepaying the filing fee, Searcy filed an amended complaint under 42 U.S.C. § 1983, alleging that Harris County Jail Correctional Officer Rodriguez and the Harris County Probation Officer Ashley Limas violated his civil rights in several ways. (Docket Entry No. 23). Because Searcy is an inmate proceeding without prepaying the filing fee, the court is required by 28 U.S.C. § 1915A to screen his complaint and dismiss any claims that are frivolous or malicious, that fail to state a claim upon which relief can be granted, or that seek relief from a defendant who is immune. *See* 28 U.S.C. § 1915A(a), (b); *see also* 28 U.S.C. § 1915(e). As part of this screening, on April 29, 2025, the court ordered Searcy to file a More Definite Statement of his claims by May 30, 2025. (Docket Entry No. 26). The court provided Searcy with a list of questions to answer under oath and warned him that failing to comply as ordered could result in the court dismissing his action without further notice under Federal Rule of Civil Procedure 41(b). (*Id.* at 6).

As of the date of this order, Searcy has not complied with the court's order to file a More Definite Statement, and his time to do so has now expired. Searcy's failure to comply as ordered

forces the court to conclude that he lacks due diligence. Dismissal for want of prosecution is appropriate. *See* FED. R. CIV. P. 41(b); *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998) (a district court may dismiss an action on its own for failure to prosecute or to comply with any court order).

Searcy's civil rights action, (Docket Entry No. 1), is dismissed without prejudice for want of prosecution. All pending motions are denied as moot. Searcy is advised that he may seek relief from this order under Federal Rule of Civil Procedure 60(b) if he can show good cause for failing to comply with the court's April 29 order. Any motion under Rule 60(b) must be accompanied by Searcy's response to the court's order for a More Definite Statement.

SIGNED on July 1, 2025, at Houston, Texas.



Lee H. Rosenthal
Senior United States District Judge